

Town of Horicon
ZONING BOARD OF APPEALS

Minutes of April 25, 2006

Members Present: Chairperson Priscilla Remington, Gail Serrine, Dan Smith, Steven Smith Curt Castner, Harry Balz

Others Present: Counsel to Boards Mark Schachner, Zoning Administrator Gary McMeekin,

Guests Present: William Duffy, David King, James Farmer, Erin Hayes, Roberta Clench, Elizabeth St. Claire, Jeff Provost, Attorney Dan Smith

PUBLIC HEARINGS:

2006-14 Tax Map 89.-1-53 James Farmer seeking a 10' variance from road setback requirement to build a deck on home located at 827 Hayesburg Rd. James Farmer stated that he replace his mobile home and would like to build a 10' x 16' free standing deck requiring a 10' variance from the roadway setback. Being no questions or comments the public hearing was closed.

2006-11 Tax Map 39.17-1-40 David King seeking a 6' 6" variance from rear yard setback to build an addition on home with a deck located at 5 Palisades East. Warren County Planning Board stated No County Impact with stipulation the condition the septic system is compatible with the proposed addition. The applicant stated that there will be a total of 4 bedrooms and the septic tank is 1,000 gals. Being no further comments or questions, the public hearing was closed.

2006-15 Tax Map 38.16-1-26 William and Geraldine Duffy seeking a 27' shoreline setback variance to build a barbecue grill on parcel located at 1064 Palisades Rd. Warren County Planning Board stated No County Impact. Harry Balz stated that the applicant is requesting the variance for just the grill and stone patio. Jim Conroy, neighbor stated that he was in favor of the project. Being no further comments or questions, the public hearing was closed.

2006-17A Tax Map 54.-1-31 Robert and Roberta Clench seeking a 1.694 acre and a 1.391 acre variance from density to subdivide parcel located at 226 Pease Hill Rd. Erin Hayes, representing the applicant stated that the parcel is 6.9 acres with a two-family home on the parcel, the applicant wishes to place a driveway off of Pease Hill Rd to avoid the brook in the rear of the new proposed parcel. Horicon Planning Board recommended approval of the variance. Being no further comments and questions, the public hearing was closed.

2006-05 Tax Map 55.14-1-9 James Mrazek seeking a 100' variance from shoreline setback to replace a deck/dock and add a roof/deck structure and a 100' variance from shoreline setback requirement to replace a seawall on parcel located at 603 Palisades Rd. Jeff Provost representing the applicant stated that the existing deck/dock and seawall are in disrepair and the applicant would like to replace the existing dock with an open sided dock with roof structure (deck) with rail and stairs. Priscilla Remington asked Jeff Provost if he had spoke with Gary McMeekin regarding the square footage of the deck system. Length discussion ensued regarding the height of the wall and the structure to be built. Horicon Planning Board recommended approval of the seawall and denial of the dock/deck structure. Warren County Planning Board stated No County Impact. Being no further

comments or questions, the public hearing was closed.

Regular Meeting of the ZBA was called to order by Chairperson, Priscilla Remington. Dan Smith made a motion to approve the minutes as written, 2nd by Curt Castner. Dan Smith Aye, Curt Castner Aye, Gail Serrine Aye, Priscilla Remington Aye, Harry Balz Abstain.

UNFINISHED BUSINESS:

2006-14 Tax Map 89.-1-53 James Farmer seeking a 10' variance from road setback to build a deck on home located at 827 Hayesburg Rd. James Farmer stated that he replaced his mobile home and would like to build a 10' x 16' free standing deck requiring a 10' variance. Dan Smith stated that he has visited the site and the new home could not have been placed any further back on the parcel making a motion to approve the variance request as the benefit sought cannot be achieved by other means, will not produce an undesirable change to the character of the neighborhood, not a substantial request, no adverse environmental effects and was not self created, 2nd by Harry Balz. All Ayes.

2006-11 Tax Map 39.17-1-40 David King seeking a 6' 6" variance from rear yard setback to build an addition on home with a deck located at 5 Palisades East. Dan Smith made a motion to approve the variance request as there is no undesirable change to the character of the neighborhood, the benefits sought cannot be achieved by any other means the request is not substantial, there are no adverse effects on the physical or environmental conditions in the neighborhood and this was not self created, 2nd by Curt Castner. All Ayes.

2006-15 Tax Map 38.16-1-26 William and Geraldine Duffy seeking a 27' shoreline setback variance to build a barbecue grill on parcel located at 1064 Palisades Rd. After a brief discussion Curt Castner made a motion to approve the variance as there are no undesirable changes to the character of the neighborhood, the benefits sought cannot be achieved by other means, the request is not substantial, there are no adverse effects on the environment and this was not self created, 2nd by Dan Smith. All Ayes.

2006-17A Tax Map 54.-1-31 Robert and Roberta Clench seeking a 1.694 acre and a 1.391 acre variance from density to subdivide parcel located at 226 Pease Hill Rd. Erin Hayes, representing the applicant stated that the parcel is 6.9 acres with a two-family home on the parcel, the applicant wishes to place a driveway off of Pease Hill Rd to avoid the brook in the rear of the new proposed parcel. Dan Smith made a motion to approve the variance as there are no undesirable changes to the character of the neighborhood, the benefits sought cannot be achieved by other means, the request is reasonable, there are no adverse effects on the environment and this was not self created, 2nd by Curt Castner. All Ayes.

2006-05 Tax Map 55.14-1-9 James Mrazek seeking a 100' variance from shoreline setback to replace a deck/dock and add a roof/deck structure and a 100' variance from shoreline setback requirement to replace a seawall on parcel located at 603 Palisades Rd. After a lengthy discussion Gail Serrine made a motion to approve the variance for the seawall with the condition that the wall must be two-hundred (200)sq. ft or less and no higher than two (2) feet as the benefit cannot be achieved by other means as there is no undesirable change to the character of the neighborhood, there are no adverse environmental effects and this is not self created, 2nd by Harry Balz. All Ayes. Gail Serrine made a motion to approve the variance for the deck/dock system as there is no undesirable change to the character of the neighborhood, the benefits sought cannot be achieved by other means, there are no adverse environmental effects and this is not self created, 2nd by Harry Balz.

The board was polled: Gail Serrine Aye Harry Balz Aye Curt Castner Aye

Priscilla Remington Aye Dan Smith No. The motion was passed by majority vote.

2005-56 Tax Map 36.15-1-12.1 Erling Asheim seeking a 31.24' and a 29.62' variance from road frontage to subdivide parcel located on East Shore Dr. This application is tabled until the June 2006 meeting. Applicant requested that this matter be tabled until "runoff" information is received.

2006-16 72.10-1-15 Tax Map Randy and Elizabeth St. Claire seeking 27'9" variance from shoreline setback and a 26' 5 1/2" variance from roadway setback to build a garage, a 25'8" variance from shoreline setback and a 17' 6" variance from roadway setback to build a shed overhang on parcel located at 7117 State Rte 8. Elizabeth St. Claire stated that she measured the shed setback from the lake which is 24' 4" and is requesting a 25' 8" variance from shoreline setback for the shed overhang. Dan Smith made a motion to deem the application complete, schedule a public hearing and refer this to the Warren Co Planning Board, 2nd by Curt Castner. All Ayes.

NEW BUSINESS:

2006-20 Tax Map 38.16-1-14.1 Joseph and Anne Fitzpatrick seeking a 15' shoreline setback and a 5' sideyard setback variance to build a screen porch on parcel located at 36 Horicon Birches Rd. Attorney Dan Smith presented photos showing the parcel stating that the applicant will need a 5' side yard setback and a 15' shoreline setback variances. Harry Balz made a motion to deem the application complete, schedule a public hearing not referring this to the Town Planning Board, 2nd by Curt. All Ayes.

There being no further business before the board, Chairperson Priscilla Remington adjourned meeting at 9:00 PM.

Respectfully Submitted,
Christine Smith-Hayes